

EDGEFIELD COUNTY COUNCIL

Minutes July 8, 2003

The Edgefield County Council held its regular meeting at 6:00 P. M. Tuesday, July 8, 2003, in the County Council Chambers, 225 Jeter St., Edgefield. Chairman Kneece called the meeting to order and Councilman Hudson gave the invocation. The Pledge of Allegiance to the Flag was recited.

Members present:

C. Monroe Kneece, Chairman
Willie C. Bright, Vice Chairman
Norman Dorn, Councilman
Joel D. Hudson, Councilman
B. Everette Kitchens, Councilman

Others present:

Wayne Adams, County Administrator
John Byrd, County Attorney
Barbara Stark, Clerk to Council

Minutes

Motion was made by Councilman Bright, seconded by Councilman Hudson, to approve the June 3, 2003, Minutes of the Regular Meeting of Edgefield County Council. Motion carried.

Reports

Chairman Kneece asked if there were any questions concerning the reports. There were none.

Ordinances

Motion was made by Councilman Kitchens, seconded by Councilman Bright, to approve second reading of Ordinance No. 03-04-437, "An Ordinance Jointly Enacted by the County of Edgefield and Certain Incorporated Municipalities within Edgefield County to Provide for a Centralized Countywide Recreation Program, and to Establish a County-Operated Special Revenue Fund for Purposes for Funding the Program's Activities." Motion carried unanimously.

Motion was made by Councilman Bright, seconded by Councilman Kitchens to approve second reading of Ordinance No. 03-04-438, "An Ordinance Amending the Edgefield County Zoning Map to Change the Zoning Designation of Tax Map Parcel #174-00-00-029 from Industrial Development to General Agricultural Development (GD)."

Motion was made by Councilman Kitchens, seconded by Councilman Hudson, to approve second reading of Ordinance No. 03-04-439, "An Ordinance Enacting and

EDGEFIELD COUNTY COUNCIL

Minutes July 8, 2003

Adopting a Supplement to the Code of Ordinances for Edgefield County.” (Supplement No. 6) Motion carried unanimously.

Resolutions

Councilman Dorn made a motion to approve Resolution No. 03-04-261, “A Resolution Providing for an Intergovernmental Agreement Between Edgefield and McCormick Counties, Whereby the Two Counties will Jointly Utilize Edgefield County’s Convenience Center Located at the Intersection US Highway 378 and S-19-67.” Motion carried unanimously.

Supplemental Agenda

Ms. Shadie Hall, Executive Director of Helping Hands. Helping Hands is an emergency shelter for abused children in Aiken. Have taken children from all over the state. Edgefield County is one of the counties having priority for placement of children. The last request Helping Hands made of council was 1997/1998. Have cared for sixteen children from Edgefield County from 2000 up to 2003. Helping Hands request for FY 2003-04 was \$5,100. Edgefield United Way does provide funds, and DSS gives \$40.00 per child. Motion was made by Councilman Bright, seconded by Councilman Dorn to receive the request as information. Motion carried.

Mike Casey, Emergency Preparedness Director, addressed council concerning a proposed agreement between Edgefield County and the State Emergency Management. Mr. Casey stated that South Carolina received a \$42,000,000 grant from Homeland Security. “The money is to be used through Emergency Preparedness and other emergency services in each of the counties. Based on our pro-rata share and a base figure of \$50,000, Edgefield County is getting \$95,500.00. This is 100% money, no matching involved with the county. The stipulation to this is that approximately 25% must be spent for the emergency operations center – my EOC when we have a tornado or such. The remainder is to be spent from the information gain from a committee. Chief Stewart with SLED appointed me, Sheriff Dobey, Chief of Police Ronnie Carter, EMS Director Jewel Plaxco, and the chairman of the fire commission, to get together to decide what emergency services, equipment or aid would most benefit all of Edgefield County. Cannot spend all of this money on a certain fire department or one particular area. We have come up with what we think is the best way to spend the money. Writing the grant application now. The thing that SLED and State EMA is requesting in exchange for or in return for this and future grants is a mutual aid agreement; a statewide mutual aid agreement between Edgefield County Government (both cities and county) and the state of South Carolina. At present we have mutual aid agreements with McCormick and Saluda and other neighboring counties that will assist each other. At this point, what SLED is saying and what FEMA is saying to Emergency Management in South Carolina is “look, we are funneling large sums of money to you, most is 100%. They are saying that in return for

EDGEFIELD COUNTY COUNCIL

Minutes

July 8, 2003

that we need to have a statewide mutual aid agreement. Just wanted to present to council the good information that we are getting some dollars. If we don't sign it, we don't get any more dollars. Johnston City and Edgefield City have already approved it. Trenton will take it before their council this month. Got another \$1,000 grant this past week for participating in a statewide emergency drill. It is 100% fund. Will be put into my account to use to buy emergency equipment and Mr. Adams and I, along with the committee, have worked hard to come up with some ways to take some pressure off of your budget and get some much needed items for emergency services. Bear in mind it has to be something in emergency services, equipment that will benefit the most. Motion was made by Councilman Dorn, seconded by Councilman Hudson, to approve the agreement between Edgefield County and the State Emergency Management Division.

New Business

The Chamber of Commerce requested an increase (from \$7,000 to \$10,000) in its appropriation for FY 2003-04. Councilman Kitchens stated: "I am glad to see new leadership at the Chamber, and believe that the Chamber is a benefit to Edgefield County. Know they are having a tough time financially and I challenge each councilman to become a member. I would like to see council take a serious look at the possibility of coming up with additional funds for them." Motion was made by Councilman Hudson, seconded by Councilman Bright, to approve \$7,000 for FY 2003-04. Motion carried.

Mr. Adams explained the next item of business; a letter of Understanding from Elliott Davis, LLC. "State law does require each county to an external audit conducted at the close of each fiscal year. For more than two decades Edgefield County has used Elliott Davis, specifically the Greenwood Office. Our financial offices are very happy with their service – have letters of recommendation to continue with them from our county treasurer, county auditor, and our finance director. Of course, when you have the same firm doing the work for that length of time, natural questions arise from time to time of whether they are competitive on a price basis. Our finance director surveyed seven other counties that are roughly similar in size to us to determine if the cost of audit that we are paying was competitive and also the hourly rates that we pay for other services. The average cost to prepare an annual audit among the eight counties was \$28,250 (median) to \$29,344 (mean). Edgefield County is paying only \$26,500, or significantly less than that. The average hourly rate paid was between \$80 and \$85. Edgefield County pays \$75 an hour. State code section 4-9-150 states that counties may contract for these CPA services without bidding, but of course that does not mean you should not compare prices once in a while but we have done that. I feel very comfortable with what we are paying for those services Section 4-9-150 states that if you designate a firm within the first thirty (30) days of the fiscal year you do not have to bid it competitively, but as I said, we are confident that we are getting a good deal and that we getting our money's worth and they have been very helpful to us for a long, long time; of course you cannot place a value on

EDGEFIELD COUNTY COUNCIL

Minutes July 8, 2003

the institutional memory that they have with our county. Given the cost data we have gleaned from the survey, I feel it would be unwise really for the county to change the auditing firm at this time. Motion was made by Councilman Bright, seconded by Councilman Dorn, to continue with Elliott Davis, LLC for the current fiscal year. Motion carried unanimously.

Mr. Fred Peterson addressed council concerning the acceptance of Long Leaf Road (Drive) into the county maintenance system. He presented pictures of the deteriorating road. Mr. Peterson had records dating back to 1985 on Long Leaf and as recently as July 1999. Found there had been numerous issues discussed on this particular road. The concern of the residents is the possibility of emergency vehicles having to come in and hitting the exposed waterline, which would create more problems. Three vehicles have already driven over the waterline because they did not know it was there. He stated that the Water & Sewer Authority are willing to become involved of whatever their responsibility would be to settle the waterline issue. Mr. Peterson asked the council to consider the situation on Long Leaf and the potential for more serious situations to develop, and make a recommendation to the Planning Commission to accept this road into the county maintenance system so the problems may be corrected. Mr. Peterson also stated he had purchased sand clay to build up the circle at the end of the road (had receipts) so that he may have a way to enter his property; purchased eleven (11) loads for a total cost of almost \$1,200.00 in 2000. Turned down for homeowners insurance on his property and turned down by two different insurance companies; the reason was because of the condition of the road would not allow adequate response time by emergency vehicles to reach his residence. Also that his driveway was too narrow for those emergency vehicles to access his residence. The driveway has been widened but still unable to obtain insurance. Council asked Howard Gibson, Building Official to present his material on Long Leaf. The administrator stated that Howard had given him a report from 1999 in which Henry Coleman (former county engineer) stated that Long Leaf was not a county maintained road; rejected in 1986 due to excessive grades and utility encroachment. Some pipes, etc. were exposed. Sufficient right-of-way had been obtained to avoid the utility encroachment; however, it will be expensive to solve the problems with the steep grades that resulted in severe erosion along the roadway. The only satisfactory solution that Mr. Coleman could determine was to pave the road and used raised-edged curbing on the hills to keep water in the roadway and eliminate erosion. Estimation to pave 3200 linear feet of road and provide 2000 linear feet of curb: \$70,000 with Edgefield County doing the pre-paving work. Mr. Adams said the he, along with Mr. Bright and Mr. Kitchens talked with an attorney from the SC Association of Counties earlier about this issue. He forwarded an attorney general's opinion from 1997 that deals with a case in Union County. The administrator read an excerpt from the opinion. "To summarize the foregoing, the use of county equipment on private property is generally prohibited. However, the decision to spend county funds on private property should be made by Union County Council after consideration of Article 10, Section 5 of the State

EDGEFIELD COUNTY COUNCIL

Minutes

July 8, 2003

Constitution and the facts of the case. If county funds are to be used to maintain a private road there must be a determination of a public purpose and an irrevocable dedication of the property to the public. States in the opinion about what can be determined as a public purpose – certainly emergency responses for fire and medical needs can be considered public purposes. Have to have the right of way – dedicated to the county. At that point comes the question of expense. To put the road in optimal condition in 1999 the county engineer estimated \$70,000.00. There are some counties that will take a dedication for the purpose of just maintaining the road for emergency vehicle traffic. In that case, scrape the road (which the county has done). It isn't the lack of the willingness of the county to go out and scrape the road periodically, which is a minimal expense. The problem is the long term problem about maintaining the road in the face of all of the erosion from the rain. The county engineer basically said the best way to handle the problem is to pave it. The issue then is budgeting the funds; where does the \$70,000 come from? Think the Transportation Committee would probably be a good place to start in asking them if they could spend some of the gas tax money to improve this road. Then have county council accept the road. Motion was made by Councilman Bright, seconded by Councilman Hudson to turn this request over to the Transportation Committee. Motion carried unanimously.

Old Business

Rick Greene with Upper Savannah COG spoke concerning the request by Hillary Branch Society. Mr. Greene: "Back in April 2000 I received a call from Mr. John Tanks and he was interested in getting some money to renovate the building, which is the old Mt. Pleasant School. They have a civic organization that meets there on a regular basis. At the same time I was dealing with him there was a church in Ridge Spring that wanted a similar type of help so we got a representative from the State Department of Archives and History to come out. She did a review of the building in Ridge Spring and also at Hillary Branch. There was discussion of applying for grants and getting on the National Register of Historic Places. That takes a lot of work and a long period of time. We advised them that if they wanted money just for renovation they might find another resource other than the money from the state because that comes with a lot of strings attached and they did not have enough money to deal with it. I supplied Mr. Tanks with a list of grant opportunities, had the site visit there but have not heard anything since.

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Guests

Johnny Anderson stated he had sent to council a maintenance breakdown for the airport – just wanted to make sure they had received it and if there were any questions council wanted him to answer. Mr. Anderson received a letter from the aeronautics – will stop all of their grass cutting at the airport. That will increase the maintenance. The Administrator asked if it is \$57 and some change per month per hanger to cover maintenance costs. Mr. Adams said council will recall that there is an issue of a hanger

EDGEFIELD COUNTY COUNCIL

Minutes July 8, 2003

and one acre under a separate lease that is the real hang-up now for completing this agreement for Plane Fun to be the airport manager, and to lease the other ninety nine (99) acres. The question that Plane Fun has had is will they, the lessee of the one acre, pay anything toward the maintenance.

Chairman Kneece asked if any of the representatives of the Chamber of Commerce would like to speak. Mr. John Timmerman was to speak earlier concerning the Chamber's funding request but was not present at the time. He was first on the agenda. The chairman advised them of the decision of council to fund the Chamber \$7,000 for fiscal year 2003-04 and not the \$10,000 requested. Mr. Timmerman: "We feel the Chamber of Commerce is a partnership organization between businesses and county government. Feel we are filling the needs of businesses and county government." Mr. Timmerman went on to explain the services and purpose of the Chamber.

Claims approved as follows:

A.	PAYROLL:	5/26/03 thru 6/8/03
	Regular.....	\$91,055.68
	PAYROLL:	6/9/03 thru 6/22/03
	Regular.....	\$91,692.96
B.	GENERAL OPERATING.....	\$363,232.36

Councilman Dorn asked the administrator about the Carpenter property on Highway 25; the monies paid to him and the purpose. Administrator: "In March of 2001, council voted to pay to Mr. Ike Carpenter \$5,000 to move his stand out of the right-of-way for a road widening project on US Highway 25 in front of the Industrial Park. Also voted to pay \$500 to remove a tree from the right-of-way he had planted. We actually paid Mr. Carpenter these amounts (\$5,500) on March 12, 2002, and more recently on June 25 of this year I notified Mr. Carpenter that the contractors were ready to begin work on widening the road – you can see the construction signs up now on Highway 25. We have indeed paid him to have this moved out of the right-of-way and told him that he could either do it by actually yesterday's date or we would do it. He has begun doing that. The contractors have not moved their equipment in yet but just as soon as they do they will expect to begin work. He has known about this for a long time." Mr. Dorn asked did he not have a deadline for that. Mr. Adams said a deadline had not been set because we did not know at the time when the construction would begin. We just knew looking forward that at some point we were going to widen that road, and we went through some other

EDGEFIELD COUNTY COUNCIL

Minutes

July 8, 2003

processes of obtaining right-of-way from other property owners along that road as well during that period of time. We were just preparing ourselves for the inevitability of widening the road which is just beginning this week. He also had stated that he wanted to continue to sell produce there up until the time that the widening started (construction). That was no problem for the county. We had no particular benefit in having him move out of the right of way in advance of the construction. Mr. Dorn wanted to know how the tree played into that movement. Mr. Adams said that was part of what he bargained with the county for. He wanted the tree moved; as well as I can recall he had planted the tree on the day of his daughter's birth – had some special meaning to him and council agreed to have it relocated where he is now in Edgefield. He was paid the sum of \$5,500 for the stand he had and for the removal of the tree. That is all the involvement the county has had – paying him the \$5,500.00.

There being no further business, Councilman Dorn made the motion to adjourn. Motion seconded by Councilman Hudson. The next regular meeting of council scheduled for Tuesday, August 5, 2003.

C. Monroe Kneece, Chairman

Willie C. Bright, Vice Chairman

Norman Dorn, Councilman

Joel D. Hudson, Councilman

B. Everette Kitchens, Councilman

ATTEST

Barbara R. Stark, Clerk to Council

